

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

VALEANT PHARMACEUTICALS
INTERNATIONAL, INC., et al.,

Plaintiffs,

v.

AIG INSURANCE COMPANY OF
CANADA, et al.,

Defendants.

Civil Action No. 18-493 (MAS) (LHG)

ORDER

This matter comes before the Court upon Defendant Temple Insurance Company's ("Temple") Partial Motion to Dismiss Counts One, Five, and Seven of Plaintiff Valeant Pharmaceuticals International, Inc., Valeant Pharmaceuticals International, and AGMS, Inc.'s (collectively, "Valeant") Complaint pursuant to Federal Rule of Civil Procedure 12(b)(1) (the "Motion"). (ECF No. 155.) Defendant Certain Underwriters Lloyd's, London subscribing to Policy No. QB146013 ("MS Amlin")¹ also moved partial dismissal of Counts One, Five, and Seven on the same grounds Temple asserted. (ECF No. 161.) Valeant opposed the motions (ECF No. 164), and Temple replied (ECF No. 166). The Court has carefully considered the parties' submissions and decides the matter without oral argument pursuant to Local Civil Rule 78.1. For the reasons set forth in the accompanying Memorandum Opinion, and other good cause shown,

IT IS on this 12th day of April, 2019, **ORDERED** that,

1. Temple's Partial Motion to Dismiss Counts One and Seven (ECF No. 155) is **DENIED**.
2. MS Amlin's Motion to Dismiss Counts One and Seven (ECF No. 161) is **DENIED**.
3. Temple's Partial Motion to Dismiss Count Five (ECF No. 155) is **GRANTED**.
4. MS Amlin's Motion to Dismiss Count Five (ECF No. 161) is **GRANTED**.

¹ MS Amlin, was improperly pled as Lloyd's Syndicate Mitsui 3210.

5. Count Five is **dismissed with prejudice** as to Temple and MS Amlin.

s/ Michael A. Shipp

MICHAEL A. SHIPP

UNITED STATES DISTRICT JUDGE